

Michael W. Armstrong (SBN 87799)
NOLAN, ARMSTRONG & BARTON, LLP
600 University Avenue
Palo Alto, CA 94301
Tel. (650) 326-2980 Fax (650) 326-9704

EO 1.3500-1 (11-07-13)

Counsel for Defendant Keven Yang

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

UNITED STATES,

Plaintiff,

v.

KEVEN CHEN CHIEH YANG,

Defendant.

Case No. CR 11-00472 RMW

**STIPULATION AND []
ORDER TO CONTINUE SENTENCING
HEARING**

Date: November 12, 2013

Time: 9:00 a.m.

Court: The Hon. Ronald M. Whyte

It is hereby stipulated between the parties, Michael W. Armstrong, attorney for defendant, Keven Yang, and Daniel Kaleba, Assistant United States Attorney for the United States of America, that the presently scheduled sentencing hearing of November 12, 2013 be rescheduled to Monday, January 6, 2014, at 9:00 a.m. before the Honorable Ronald M. Whyte.

Defendant's counsel, Michael W. Armstrong, requests this extension because the probation interview was only recently concluded, and the probation officer needs more time to complete her report. She agrees with the proposed date.

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1 The parties agree that the time between November 12, 2013 through January 6, 2014 is
2 properly excluded pursuant to the Speedy Trial Act, Title 18 United States Code, sections
3 3161(h)(7)(A) and 3161(h)(7)(B)(iv) in the interests of justice.

4 SO STIPULATED:

5 NOLAN, ARMSTRONG & BARTON

6
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8 Dated: November 4, 2013

_____/s/_____
MICHAEL W. ARMSTRONG
Attorney for Defendant KEVEN YANG

10 MELINDA HAAG
11 United States Attorney

12
13 Dated: November 4, 2013

_____/s/_____
DANIEL KALEBA
Assistant United States Attorney

16 **ORDER**

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18 For the foregoing reasons, the Court continues the sentencing hearing in this case from
19 November 12, 2013 to January 6, 2014 at 9:00 a.m. For the reasons stated above, the Court
20 further finds that the ends of justice served by granting the requested continuance outweigh the
21 best interests of the public and the defendant in a speedy trial. See U.S.C. § 3161(h)(7)(A) and
22 3161(h)(8)(7)(iv). Accordingly, time shall be excluded from November 12, 2013 through January
23 6, 2014.

24 SO ORDERED.

25 Dated: November ⁱ_____, 2013

Ronald M. Whyte

THE HONORABLE RONALD M. WHYTE
U.S. DISTRICT COURT JUDGE